

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

IN RE APPLICATION OF AT&T MOBILITY LLC :

09 Civ. 7072
(DLC) (MHD)

-----X

Related to :

ORDER

UNITED STATES OF AMERICA, :
Plaintiff :

v. :

41 Civ. 1395
(DLC)

AMERICAN SOCIETY OF COMPOSERS, AUTHORS, :
AND PUBLISHERS, :
Defendant. :

-----X

DENISE COTE, District Judge:

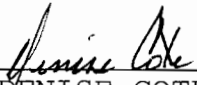
On May 22, 2009, AT&T Mobility LLC ("AT&T") moved for summary judgment on the question of whether it must pay public performance licensing fees for musical compositions because it provides ringtones to its customers. In the case bearing the caption In re Application of Cellco Partnership d/b/a Verizon Wireless, 09 Civ. 7074, Cellco Partnership d/b/a Verizon Wireless ("Verizon") also moved for summary judgment on the same issue on the same date. These motions each became fully submitted on August 28. An Opinion and Order of October 14, 2009 granted Verizon's May 22 motion for summary judgment. Accordingly, it is hereby

ORDERED that for substantially the same reasons as were discussed in the Opinion and Order of October 14, 2009 entered

in In re Application of Cellco Partnership d/b/a Verizon Wireless, 09 Civ. 7074, AT&T's May 22 motion for summary judgment is granted.

SO ORDERED:

Dated: New York, New York
October 14, 2009



DENISE COTE
United States District Judge